

EXHIBIT NO. JTX-010 evid.
CAUSE NO. 3:22-cv-00734-DPJ-HSO-LHS
WITNESS SHONE POWELL
CLERK: SHONE POWELL

FEB 26 2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
Candice Crane, REPORTER

032922 House of Representatives
April 20, 2022

All depositions & exhibits are available for downloading at
www.brookscourtreporting.com

Please call or e-mail depo@brookscourtreporting.com if you need a
Username and Password.



Mississippi - Louisiana - Tennessee - New York
1-800-245-3376

3:22-cv-734

JTX-010

Page 1

032922 House of Representatives 4/20/2022

TRANSCRIPT OF VIDEO PROCEEDINGS

Mississippi House of Representatives
March 29, 2022

TRANSCRIBED BY:

GINGER H. BROOKS, CCR #1165
CRR, RPR, CRC, CCR, CLR, RSA

**Jackson
Gulfport**

**Brooks Court Reporting
1-800-245-3376**

**Meridian
New Orleans**

JTX-010-002

Page 2

032922 House of Representatives 4/20/2022

1 (Recognition of Vietnam veterans.)

2 (Prayer.)

3 (Pledge of allegiance.)

4 MR. CHAIRMAN: Open the machine, Madam
5 Clerk.

6 Close the machine, Madam Clerk.

7 MR. CLERK: There's a quorum present,
8 Mr. Speaker.

9 MR. CHAIRMAN: Thank you, Mr. Clerk.

10 We'll have the reading of the journal. The
11 gentleman from Rankin moves we dispense with
12 the reading of the journal. All in favor say
13 "aye," opposed "nay." The "ayes" have it.

14 The board of select committees?

15 MR. CLERK: We have none, Mr. Speaker.

16 MR. CHAIRMAN: The board of standing
17 committees?

18 MR. CLERK: We have reports on the
19 counter, Mr. Speaker.

20 MR. CHAIRMAN: Introductions of bills
21 and Constitutional amendments. The gentleman
22 from Marion, Mr. Morgan.

23 MR. MORGAN: Thank you, Mr. Speaker.

24 Ask unanimous consent to dispense with
25 the reading of the introductions.

032922 House of Representatives 4/20/2022

1 MR. CHAIRMAN: Is there objection?

2 Hearing none, we will do that.

3 Resolution, petitions, memorials and
4 other --

5 MR. CLERK: We have none, Mr. Speaker.

6 MR. CHAIRMAN: Thank you, Mr. Clerk.

7 (Introduction of guests, visitors and
8 pages.)

9 MR. CHAIRMAN: Okay. We will go to the
10 calendar. We are going to go to -- we're
11 going to go to the last page of the calendar,
12 page 9 under the general calendar, item 1.

13 I'm going to recognize the gentleman
14 from Calhoun.

15 Gentleman from Alcorn, Mr. Bain, what
16 purpose do you seek recognition?

17 MR. BAIN: Thank you, Mr. Speaker.

18 I need to reconsider a vote on a bill
19 yesterday to recommit. So it will be Item
20 69, Senate Bill 2543. I need to reconsider
21 the vote by which it passed for purposes of
22 recommittal.

23 MR. CHAIRMAN: Motion is to reconsider.
24 All in favor say "aye." Opposed "nay."
25 "Ayes" have it.

032922 House of Representatives 4/20/2022

1 Motion to recommit. All in favor say
2 "aye." Opposed "nay." The "ayes" have it.
3 The bill has been recommitted.
4 All right, gentleman, you're recognized.
5 CHAIRMAN: Thank you, Mr. Speaker.
6 I do go to that resolution, and it has
7 been called up. And I think this was a very
8 anticipated event thanks to our new boards.
9 Y'all will be able to see them up there, then
10 there's a larger map in the back. They're in
11 the process of handing each one of y'all a
12 printout for your districts. And so you'll
13 have that information.
14 Yes, Mr. Speaker, I'd like for you to
15 invite Parker in for Butler Snow.
16 MR. CHAIRMAN: We have a request that
17 the drafting attorneys and those who drafted
18 the plan be allowed on the floor to help the
19 gentleman present answering questions.
20 Any objection to that?
21 Hearing none, we will do that.
22 CHAIRMAN: Thank you, Mr. Speaker.
23 If you don't have your copy, you'll have
24 it in just a minute before we get very far
25 along in this process.

032922 House of Representatives 4/20/2022

1 I would just like to take just a moment
2 before I get started just to thank each one
3 of you for your cooperation and your input in
4 this process. I know that it's not the most
5 pleasant thing that's done, but it's
6 something that is required to be done by law
7 every 10 years. So with that being said, I'm
8 gonna go ahead and start going over our
9 presentation.

10 Just for a general overview to start out
11 with, you know, statewide -- our census
12 results, our statewide population decreased
13 by 6,018 people. I think most of us probably
14 believe that we had an undercount in our
15 state. I think there was probably an
16 undercount in our country, but the reality is
17 we have to use the census information that
18 was provided.

19 So according to that, we were down 6,018
20 people. That's a very insignificant amount,
21 but the 2020 population was 2,961,279 people
22 versus 2010 was 2,967,297. So very, very
23 minor decrease.

24 There are 122 House districts, as y'all
25 are very well aware of, and based on our 2020

032922 House of Representatives 4/20/2022

1 population, the ideal size for a House
2 district is 24,273 people. So, you know,
3 that's the base number that we start from.

4 There were significant shifts in our
5 population throughout the state. We've all
6 seen amounts that depict that population
7 shift. You know, one or more significant
8 shifts has been a loss of approximately
9 65,000 people in the Delta area. South
10 Mississippi had a loss of population, as did
11 the Jackson/Hinds County area. DeSoto
12 County, Rankin and Madison Counties and the
13 coastal counties saw the most gains in
14 population.

15 There were some other counties that had
16 large percentage increases, as large as
17 these, but they've started from a smaller
18 base. Like Lafayette County, for example,
19 went from 40-something thousand to
20 50-something thousand. I think they had the
21 largest increase in the state
22 percentage-wise, but not population-wise.
23 The actual population largest three areas
24 were the Coast, DeSoto County, and the
25 Rankin/Madison suburban areas.

032922 House of Representatives 4/20/2022

1 With this overview in mind, we'll go
2 back over the outline of how we arrived at
3 this point.

4 We had a series of public hearings and
5 initial work in preparation in getting to
6 this day. In the fall of 2021, we held nine
7 public hearings all across the state to
8 afford members of the public an opportunity
9 to comment on redistricting. And these were
10 held in various parts of the state so as
11 convenient as possible to all the members of
12 our state.

13 We received the population data from the
14 census later than normal due to COVID. And
15 so we didn't get the actual final information
16 until mid-September 2021, although we had
17 preliminary estimates in August that turned
18 out to be probably identical to the final
19 numbers; if not, they were extremely close.

20 After reviewing the census data, our
21 staff then began the process of creating a
22 database to allow members of the committee to
23 begin their reviewing of the data and the
24 population changes statewide. This
25 information is also publicly available on the

032922 House of Representatives 4/20/2022

1 committee's website. This information was
2 shared at all of our public hearings as well.

3 The final order of business for the
4 committee -- for the standing committee was
5 the development of a plan for the redrawing
6 of our Congressional districts. That plan
7 was presented in early January, and the
8 Legislature adopted a final plan on January
9 12. And it was signed by the governor on
10 January 25 of 2022.

11 The Congressional plan had to be
12 developed first due to a qualifying deadline
13 of March 1 for the Congressional elections
14 this year. Once that was done, then we
15 turned our attention completely to the
16 Legislative redrawing. And that began then
17 and has continued on through the session.

18 During these meetings, we had developed
19 criteria that were to be used in the drawing
20 of these plans. And so the standing
21 committee adopted this criteria to follow in
22 the redrawing of both the Senate and the
23 House plans. And those criteria are as
24 follows: To stay within a plus or five
25 percent deviation from ideal district size to

032922 House of Representatives 4/20/2022

1 comply with the one person, one vote
2 requirements of the Constitution. And I
3 think most of y'all understand that 5 percent
4 means we can be 5 percent below that ideal
5 number or 5 percent above that ideal number
6 and still to be considered one man, one vote.
7 But we can't go lower than that or higher
8 than that.

9 All right. The other thing is our
10 districts must be contiguous. And they
11 must -- must comply with all state and
12 federal laws, including Section 2 of the
13 Voting Rights Act and emissive in the United
14 States Constitution.

15 On the one vote -- one man, one vote
16 issue, the first thing we had to look at was
17 one man -- one person, one vote requirements.
18 Excuse me for saying one man, one vote. But
19 it's one person, one vote requirement set
20 forth in the U.S. Constitution. That
21 requirement is just -- it's not -- you can't
22 make any exception of that. You can't ignore
23 that. You can't bend the rules. You can't
24 say, I like my district just like it is and
25 it's too low or too high. You have to give

032922 House of Representatives 4/20/2022

1 those people up or you have to take more
2 people. That is one thing that definitely --
3 the first thing we have to look at is the
4 sizes of the district.

5 Number two is, that when drawing the
6 State House districts, the U.S. Supreme Court
7 has held that district population should be
8 as equal as practical. The Court has
9 interpreted this to mean that a state
10 legislature has some leeway when drawing
11 districts to comply with population
12 requirements.

13 We can draw districts with a plus or
14 minus 5 percent deviation of the ideal
15 district size as long as the overall
16 deviation does not exceed 10 percent.

17 Now, I want y'all to remember that when
18 we did the Congressional, the deviation,
19 there could be no deviation. Those districts
20 had to be identical in size with -- they
21 could be no more than one person off here or
22 there. So they had to be exact, basically.

23 That is not true for our legislative
24 districts. We have -- we have a tolerance.

25 Due to population -- well, in our plan,

032922 House of Representatives 4/20/2022

1 the highest deviation over the ideal size is
2 4.94, and the lowest is 4.97 under. So we
3 were forced to go to the extremes because of
4 our population shifts and because of other
5 factors involved in our -- in our districts.

6 So due to the population changes
7 referred to earlier, we had to collapse two
8 districts to create them elsewhere in the
9 state.

10 The first is a Monroe County district in
11 the eastern part of the state, that's
12 District 20, which was moved as a new
13 district to DeSoto County area. Just as a
14 reminder, DeSoto County gained, I believe,
15 22,000 people. And Harrison County gained
16 about 22,000 people. So those are the two
17 largest gainers.

18 So 20 was moved to DeSoto County -- from
19 Monroe County area to DeSoto County. And the
20 second district that was collapsed and
21 redrawn elsewhere, is in northeastern Delta
22 region, District 33, to allow that district's
23 population to shore -- to shore up extensive
24 population loss throughout the Delta region.

25 District 33 was in redraw on the Coast

032922 House of Representatives 4/20/2022

1 as a new district to accommodate the
2 significant population growth in that area.

3 As a result, these changes led to
4 separate sets of pairing of incumbents, that
5 is, Representative Kevin Horan and
6 Representative Tommy Reynolds in that
7 district. And then the other collapse led to
8 a pairing of Representative Chris Brown and
9 Representative Rickey Thompson.

10 Additionally, as we are discussing
11 pairings, the House plan has some -- has a
12 couple of additional pairings, one of which I
13 know will be addressed in an amendment. And
14 the other is the pairing of Representative
15 Tom Miles and Representative Mark Tullos.

16 Another factor besides one man, one vote
17 is there's continuity, and all of our
18 districts are contiguous. And so that's a
19 pretty basic concept that I think most people
20 in here understand.

21 Then, under Section 2 of the Voting
22 Rights Act, the third criteria included
23 compliance with Section 2. Under our
24 benchmark plan, there were 42 minority --
25 majority-minority districts. Under our plan,

032922 House of Representatives 4/20/2022

1 their remained 42 majority-minority
2 districts. We were able to still maintain
3 sufficient minority voting strength to ensure
4 the compliance with Section 2 of the Voting
5 Rights Act. And in all the majority-minority
6 districts, the minority voting strength is
7 sufficient to afford minority citizens an
8 opportunity to elect the candidate of their
9 choice for the State House.

10 In addition to those, we comply with
11 state law, and the state law calls for us to
12 try and draw compact districts to cross
13 county lines and precinct lines the least
14 number of times possible. We did our best to
15 follow these principles in our plan.

16 As far as compactness goes, the proposed
17 plan generally maintains compact districts in
18 comparison to the existing districts of
19 county and precinct splits. The proposed
20 plan keeps 15 counties whole where the
21 previously 17 were whole. And similarly,
22 precinct split levels were maintained, and
23 there was only a slight increase in the
24 number of split precincts.

25 Next we consider political performance.

032922 House of Representatives 4/20/2022

1 An important consideration developing this
2 proposed plan was maintaining the political
3 performance in most districts. The proposed
4 plan maintains consistent Republican and
5 Democratic political performance throughout
6 the plan -- I mean, throughout the state.

7 In conclusion, this proposed plan meets
8 the redistricting criteria adopted by the
9 Constitution. It complies with one person,
10 one vote requirements of the U.S.

11 Constitution. And all districts are
12 contiguous. This also complies with Section
13 2 of the Voting Rights Act. And adheres as
14 closely as possible to the neutral
15 redistricting principles embraced in state
16 law. As such, this is a good plan for our
17 citizens of the state of Mississippi, and I
18 urge adoption of the plan.

19 Mr. Speaker.

20 MR. CHAIRMAN: All right. Any
21 questions?

22 I don't see any.

23 The gentleman from Adams, you have an
24 amendment, I understand?

25 GENTLEMAN FROM ADAMS: Question, Judge.

032922 House of Representatives 4/20/2022

1 I do have an amendment.

2 MR. CHAIRMAN: Thank you. You're
3 recognized for a question.

4 GENTLEMAN FROM ADAMS: Will the
5 gentleman yield?

6 CHAIRMAN: Yes, sir.

7 GENTLEMAN FROM ADAMS: Gentleman, I
8 looked at your district, and I looked at your
9 map, and I appreciate your work. I
10 appreciate the effort y'all put into this.
11 My question is, why are the black majority
12 districts -- why do they have such high black
13 voting age populations?

14 CHAIRMAN: Well, sir, I appreciate that
15 question. But, you know, that was looked at
16 as we went forward. In the previous
17 redistrictings, there was -- it was the same.
18 We did reduce the majority -- the black
19 majority districts, the black population in
20 those districts in, I believe, approximately
21 30 of the 42. So when possible, we reduced
22 that. Some was not reduced a lot. Some were
23 reduced more significantly. But, you know,
24 that was not the number one criteria when we
25 were -- when we were looking at that. But

032922 House of Representatives 4/20/2022

1 where possible, that that was done. I agree
2 that there are some that are extremely high.
3 There's some in the city of Jackson, there's
4 some in the Delta. Part of that has to do
5 with -- I would say the majority of that has
6 to do with the mix of the population in that
7 area.

8 GENTLEMAN FROM ADAMS: Yeah. I would
9 agree with you. There are places that that
10 can't be helped.

11 CHAIRMAN: Right.

12 GENTLEMAN FROM ADAMS: That's just the
13 way it is.

14 CHAIRMAN: Yeah.

15 QUESTIONER: (Inaudible.)

16 GENTLEMAN FROM ADAMS: But was there any
17 thought or any effort put to reducing in some
18 areas, the black voting age population in
19 some districts where you could create more
20 majority of black districts?

21 As the Voting Rights Act talks about
22 maximizing black voting strength and black
23 voter participation, you do that by -- is it
24 arguable that you could do that by having a
25 lower percentage of black population in some

032922 House of Representatives 4/20/2022

1 districts where they could -- you could have
2 more in other districts?

3 CHAIRMAN: That might be a possibility.
4 But I will say again, that that was done.
5 And in a majority of the districts, it was
6 reduced, which we were basically our
7 population -- stable as far as racial
8 population in the state.

9 So if you -- if we reduce the
10 percentage, minority percentage in those
11 districts, that means it had to go up in the
12 other districts. So, you know, I will say
13 that that was a factor looked at but was not
14 the only factor looked at.

15 GENTLEMAN FROM ADAMS: Do you know
16 whether or not the committee performed any
17 analysis of racially polarized voting or how
18 people voted along racial lines or anything
19 like that?

20 CHAIRMAN: I think our experts did
21 perform that.

22 GENTLEMAN FROM ADAMS: Okay. Just
23 generally, did you consider increasing the
24 number of African-American districts at all?
25 I know we were at 42 and that -- we're still

032922 House of Representatives 4/20/2022

1 at 42; is that correct?

2 CHAIRMAN: We do. We went in with 42
3 and we came out with 42. That's fairly close
4 to the percentage population in the state.

5 As you are well aware, our population is
6 not diverse -- it's not evenly spread across
7 the state. So that creates somewhat of a
8 challenge and makes it -- in creating
9 minority districts in certain areas.

10 You know, I mean, there's just -- as
11 there's certain areas that you're only going
12 to have minority districts, and there are
13 certain areas where you're not going to. And
14 so our goal was to make sure that we did not
15 go down in districts. That was our primary
16 focus, and we did look at attempts to create
17 some minority districts in some other areas,
18 but we did not feel like that we could create
19 necessarily performing minority districts in
20 those areas.

21 GENTLEMAN FROM ADAMS: Thank you.

22 Mr. Speaker, I have an amendment at the
23 proper time.

24 MR. SPEAKER: The lady from Hinds,
25 Ms. Summers, do you have a question?

032922 House of Representatives 4/20/2022

1 MS. SUMMERS: Thank you, Mr. Speaker.

2 I also have an amendment at the proper
3 time.

4 MR. SPEAKER: Okay. Gentleman from
5 Forrest, Mr. Watts.

6 MR. WATTS: Will the gentleman yield?

7 Thank you, Mr. Speaker.

8 CHAIRMAN: Yes, I will.

9 MR. WATTS: Now, you talked about one of
10 your criteria, political performance. Would
11 you expand on that concept?

12 CHAIRMAN: Yes. You know, when you look
13 at the voting patterns or voting history, our
14 experts did political performance analysis on
15 the districts to determine whether or not if
16 you had a 52 percent BVAP district, let's
17 say, was that high enough for the minorities
18 to elect the candidate of their choice?

19 That's kind of what political
20 performance is looking at, past voting
21 history and applying that history to that
22 current district to see how you would
23 anticipate -- there's no guarantee how a
24 district will vote, but how you would
25 anticipate that a district would vote.

032922 House of Representatives 4/20/2022

1 MR. WATTS: And in that analysis, what
2 figure did you come up with?

3 CHAIRMAN: We came up with the fact that
4 all the -- all the minority districts that
5 are created are politically performing
6 district -- should be minority politically
7 performing districts.

8 MR. WATTS: Okay. In the just process
9 of splitting -- reapportioning the districts,
10 where do you start? Do you start with the
11 existing legislative districts?

12 CHAIRMAN: Yes, sir, this time -- I
13 mean, you have to start with something.
14 Instead of completely redrawing the map and
15 beginning in a corner, I guess, which I would
16 assume might have been done the first time it
17 was done, or a computer -- we did start with
18 the existing districts.

19 MR. WATTS: Okay. Now, also, did you
20 consider the years of service or incumbency,
21 either one of those in your process?

22 CHAIRMAN: I would say that was looked
23 at, yes. Not the deciding factor, but it was
24 definitely a consideration.

25 MR. WATTS: Okay. Did you also consider

032922 House of Representatives 4/20/2022

1 how long the existing district, even though
2 it may have lost or gained population, had
3 been in existence?

4 CHAIRMAN: Well, not -- it depends on
5 whether or not -- we look more at communities
6 of interest and, you know, political
7 subdivision type deal than necessarily. I
8 got -- I was elected the first time in a very
9 gerrymandered district that's through four
10 counties. There was no reason if -- even
11 though I survived three elections in that,
12 there was no reason for that to be a criteria
13 or necessarily considered then there was --
14 redistricting was done 10 years ago or 12
15 years ago, because it would have just been
16 repeating a same mistake that had been --
17 been made. And those communities had nothing
18 in common at all.

19 MR. WATTS: Now, is compactness the
20 opposite of gerrymander?

21 CHAIRMAN: Yes, sir. I would say it's
22 definitely one way you can define it.

23 MR. WATTS: Okay. Under the existing
24 plan, from a geographical standpoint, what's
25 the longest district.

032922 House of Representatives 4/20/2022

1 CHAIRMAN: Let me see. Do we know that?
2 Not right offhand, we don't. But I do know
3 that my district is probably 20, 50 -- over
4 60 miles long. But I live in a rural area.
5 And, you know, I think that's going to be --
6 if you're in a urban area, you may have -- I
7 think some of our districts may not be more
8 than two or three miles long and wide. And
9 some of them are much larger.

10 I think, generally speaking, majority in
11 north Mississippi outside of DeSoto and
12 Lafayette County and east -- in southeast
13 Mississippi or east Mississippi out of
14 Hattiesburg and Laurel are -- well, I don't
15 know if you go quite that far to Hattiesburg,
16 but are going to be large. I mean, just the
17 rural areas, the district is going to be
18 larger.

19 MR. WATTS: And would you also expand on
20 communities of interest?

21 CHAIRMAN: When possible, you know, you
22 would like to keep a county together or city
23 together or as much of it as possible.
24 People who have -- and maybe back to your
25 other point, people who historically have

032922 House of Representatives 4/20/2022

1 been together. I mean, there again, that is
2 not the overriding consideration. Population
3 is the overriding consideration and what you
4 have to do to make that work. But that's one
5 thing that's looked at.

6 MR. WATTS: Okay. But you do have some
7 situations where I guess, say, for instance,
8 if you have a district that has a couple
9 of -- we'll say 2,000 people in another
10 county, will you-all -- did you-all give some
11 consideration to trying to keep people who
12 just lived in totally different --

13 CHAIRMAN: If possible we tried to do
14 that. If there was -- if where it was done
15 there was a reason for doing it.

16 MR. WATTS: All right. Thank you, sir.

17 MR. SPEAKER: The lady from Jones,
18 Ms. Scott.

19 MS. SCOTT: Thank you so much,
20 Mr. Speaker.

21 Will the gentleman yield?

22 CHAIRMAN: Yes, I will.

23 MS. SCOTT: And, Gentleman, listen, I
24 want to commend you for your work. For those
25 that have never done this, this is a lot of

032922 House of Representatives 4/20/2022

1 work. But I did want to ask you a couple of
2 questions about the performance.

3 CHAIRMAN: Okay.

4 MS. SCOTT: And the only reason I wanted
5 to ask that is in these -- we got a couple of
6 districts -- District Number 45. And I
7 wanted you to ask your expert where they came
8 down on the performance on that District 45
9 as being able to -- and I'm using your words
10 now, a person being able to elect a person of
11 their choice. That's what you said.

12 CHAIRMAN: Okay. I'm sorry, whose
13 district is 45? Who currently serves in that
14 district?

15 MS. SCOTT: Gentleman, I don't know.
16 I'm just -- I was just looking at the
17 numbers. District 45 is --

18 MR. SPEAKER: I think it's the gentleman
19 from Kemper, but I could be wrong.

20 CHAIRMAN: All right. The gentleman
21 from Kemper, I think.

22 MS. SCOTT: Oh, okay. Okay.

23 MR. SPEAKER: All right.

24 CHAIRMAN: Yes, it shows that -- I
25 know -- I know -- I don't know anything about

032922 House of Representatives 4/20/2022

1 it specifically, but the experts assured us
2 that is a minority -- majority-minority
3 district, and they assured us that it could
4 elect -- the minority could elect a candidate
5 of their choice. It had sufficient voting
6 history in that area.

7 As far as when you look at other races
8 that -- that -- I mean, I'm not guaranteeing
9 any district would elect a minority candidate
10 or an Asian candidate or a white candidate or
11 a Hispanic, whatever. But they have said
12 that there is sufficient documentation that
13 they can elect a candidate of their choice.

14 MS. SCOTT: Okay. And so 10 years ago,
15 was this a majority-minority district?

16 CHAIRMAN: Yes, it was.

17 MS. SCOTT: Okay. And so, I guess,
18 then, my question is on performance.

19 CHAIRMAN: Right.

20 MS. SCOTT: I just want to get back to
21 the experts with their performance when
22 you -- when you discussed, Democrats being
23 able to elect Democrats and Republicans being
24 able to elect Republicans. But this district
25 has been a majority-minority district for now

032922 House of Representatives 4/20/2022

1 going into a second decade. What does the
2 expert say about the performance over there?

3 And I'm not saying that they have to
4 elect somebody black, but I'm just asking --

5 CHAIRMAN: Right. Other than the
6 Representative race, if you consider all
7 races whether it's a governor's race or
8 Senate race or different things, they are
9 electing Democrats. Democrats are being
10 elected.

11 MS. SCOTT: Okay. So for the governor's
12 race, you're saying that Kemper County -- is
13 this district just Kemper County on its own?

14 CHAIRMAN: The governor's race, two
15 Senate races, and the AG's race, the races
16 within the last five years, it has voted for
17 Democrats.

18 MS. SCOTT: Okay. And this is -- this
19 45 -- is Kemper County the only county in 45?

20 CHAIRMAN: No, it's not the only county.

21 MS. SCOTT: Well, what is the other
22 counties?

23 CHAIRMAN: Lauderdale County is in 45,
24 and Winston County is in 45, and DeSoto
25 County is in 45, and they all were

032922 House of Representatives 4/20/2022

1 previously.

2 MS. SCOTT: Okay. So now can you ask
3 your expert what is the tendency for
4 performance in Lauderdale County?

5 CHAIRMAN: I don't think county-wide it
6 would make a lot of difference because this
7 district only covers a portion of it.

8 MS. SCOTT: Okay.

9 CHAIRMAN: So they didn't run those
10 numbers for county-wide because they looked
11 at individual districts.

12 MS. SCOTT: But they could look at
13 individual precincts, couldn't they?

14 CHAIRMAN: Well, they looked at the
15 precincts as they applied to that district.

16 MS. SCOTT: Okay. Were the precincts
17 that were applicable in Lauderdale County,
18 were they Republican leaning or Democratic
19 leaning?

20 CHAIRMAN: All right. They don't --
21 they have only district-wide percentage.
22 They took district-wide. They don't have the
23 individual breakdown per precinct per county.
24 It's for the whole district.

25 MS. SCOTT: Okay. So I guess we could,

032922 House of Representatives 4/20/2022

1 though, assume that the impact of these other
2 three counties could be -- not saying that 45
3 has to elect a black person. But if you look
4 at District 38, which is similar, you know,
5 similar in numbers and everything, but I
6 think when you look at District 38 and who's
7 voting in 38, other than the main county that
8 38 encompasses, I think that might be making
9 a difference in what's occurring in 45.

10 CHAIRMAN: Actually, I think the main
11 difference there is probably because that's a
12 college town. Our voting patterns are
13 different at all of our college towns. So
14 whereas the districts are more rural, in a
15 college town you just get a different vote
16 than you do in the other districts across the
17 state. It does not -- it would not require
18 as high a BVAP to elect maybe a Democratic
19 candidate in a college town. That's just --
20 that's just the honest truth about where we
21 are.

22 You know, those two districts were not
23 paired against each other. They were all --
24 they looked at them individually and their
25 voting history individually.

032922 House of Representatives 4/20/2022

1 MS. SCOTT: And, thank you, Mr.
2 Chairman. I was just looking at those two.

3 CHAIRMAN: Yeah.

4 MS. SCOTT: And I was trying to see
5 particularly when you said that you had your
6 experts looking at performance.

7 CHAIRMAN: Right.

8 MS. SCOTT: I was just trying to see
9 what it was. So you've explained it. You've
10 got a college town, and we can make whatever
11 assumption we want to make about that.

12 CHAIRMAN: Right. And you have a lot of
13 phantom voters in the college town and you
14 have a lot of -- lot of younger people,
15 whatever, yeah.

16 MR. SPEAKER: All right. I don't see
17 any further questions.

18 I recognize the lady from Hinds,
19 Ms. Summers, for her amendment.

20 Oh, I'm sorry, the gentleman from Holmes
21 has an introduction he wishes to make. I'll
22 recognize the gentleman from Holmes.

23 (Introductions made.)

24 MR. SPEAKER: All right. Lady from
25 Hinds, Ms. Summers is recognized for her

032922 House of Representatives 4/20/2022

1 amendment.

2 MS. SUMMERS: Thank you, Mr. Speaker.

3 Thank you, Mr. Chairman.

4 Ladies and gentlemen of the House, I am
5 presenting an amendment on the proposed map.

6 The proposed map puts Representative Banks
7 and myself into District 67, pairs us.

8 What this amendment would do is to put
9 me back into my original district, which is
10 District 68. And all we did was just flop
11 some precincts. It meets all of the criteria
12 that the chairman described earlier, stays
13 within the deviation, is contiguous. And I
14 would ask if you would please to support this
15 amendment.

16 MR. SPEAKER: All right.

17 MS. SUMMERS: And I can explain it
18 further.

19 So in District 67, what we did with this
20 amendment is we placed two precincts,
21 Precinct 1 and 2, back into District 67. And
22 we put Precincts 55, 56, 60 and 61 back into
23 District 68.

24 It's not -- you won't really be able to
25 see it on the state map because 68 is not

032922 House of Representatives 4/20/2022

1 identified, but that's what the amendment
2 does.

3 MR. SPEAKER: Right. Recognize the
4 chairman to respond.

5 CHAIRMAN: Thank you, Mr. Speaker. I
6 have talked to the lady about this, and we're
7 going to support her amendment. The plan
8 initially drawn is probably a little more
9 compact, and it has been reviewed by experts.
10 But the change she wants to make doesn't
11 impact anyone else. And the parties -- both
12 the parties involved are in support of the
13 change. And so I would ask y'all to support
14 the amendment.

15 MR. SPEAKER: The lady wishes to close
16 on her amendment?

17 MS. SUMMERS: I just want to say thank
18 you to the chairman for supporting the
19 amendment as well. Thank you.

20 MR. SPEAKER: All right. Question
21 occurs on Amendment 1. If you favor the
22 amendment indicate by saying "aye." Opposed
23 "nay." "Ayes" have it. The amendment is
24 adopted.

25 The gentleman from Adams indicates he

032922 House of Representatives 4/20/2022

1 has an amendment.

2 GENTLEMAN FROM ADAMS: Thank you,

3 Mr. Speaker. Could I get the clerk to just
4 read the first two lines of the amendment?

5 MR. SPEAKER: Recognize Madam Clerk.

6 MADAM CLERK: There's not a title.

7 Amendment Number 2 by Representative
8 Jones. Amend on lines 29 through 804 by
9 striking the language in its entirety and
10 inserting in lieu thereof the following.

11 GENTLEMAN FROM ADAMS: Thank you.

12 Ladies and gentlemen, I love all y'all. Love
13 serving with you, but I don't like being in
14 the super minority. I just don't like doing
15 that. I want some help. And I can have that
16 help without actually hurting any of you-all.
17 That's what my plan does. That's not it.

18 But what I asked the chairman about is
19 maximizing black voting strength -- maximize
20 the ability for African-Americans to elect
21 and have the strength to elect as much
22 representation as possible.

23 The chairman is right. His plan does
24 not reduce the number. It stays it -- it
25 keeps the status quo at 42. But people of

032922 House of Representatives 4/20/2022

1 color make up close to 44 percent of this
2 state. 42 districts is only 34 percent of
3 the state. So all we're saying is let a
4 map -- let a redistricting plan reflect the
5 population and the people of the state of
6 Mississippi. We ought to be in this body in
7 a balanced manner that takes care of
8 everybody in the state and have everybody
9 have a voice.

10 Now, I asked about these districts that
11 are packed with African-American voters.
12 It's a difficult balancing act. And I want
13 to tell you, he did a pretty good job. There
14 are areas in the Delta and in Hinds County
15 where it doesn't matter where you go. Those
16 districts are going to be overwhelmingly
17 African-American. But there are other areas
18 of the state, East Mississippi, Central
19 Mississippi, Southwest Mississippi, where --
20 and even in Hinds County where you can create
21 more districts.

22 In this plan, there are five more
23 majority-minority districts, five more. It's
24 not overwhelming, but it's an increase. But
25 we also have about 10 districts that

032922 House of Representatives 4/20/2022

1 increased the African-American participation
2 from numbers like 17 and 18 to 30, 39, as
3 many as 48.

4 So we're looking at a legislature that
5 will still be Republican, just to give you
6 some comfort. But you'll have more people
7 like me here to work with you, and I think
8 that will be valuable to you. I think it's
9 valuable to the state. I think it's valuable
10 to everybody here to have some diversity, to
11 say to the United States, to say to the world
12 that Mississippi is not polarized anymore.

13 We're not one-sided. We're not
14 overwhelmingly one place or the other. We
15 are a balanced state. We have balanced
16 representation in our legislature, and that's
17 what this does.

18 The lady was asking you about District
19 45. District 45 in this plan increases by 4
20 to 5 percentage points in terms of people you
21 can elect of color.

22 Look. It would do wonders for the
23 state, wonders for the complexion of the
24 state in more ways than one to say this is a
25 new day in the state of Mississippi. And

032922 House of Representatives 4/20/2022

1 that's what we want to do with this plan.
2 I've talked to the chairman briefly. I
3 noted that we haven't had a chance to work
4 together on this plan as extensively as I'd
5 like. But what we're trying to do is say,
6 look, you don't have to pack all
7 African-American people in one district. We
8 don't all think the same. A lot of us think
9 like some of you. You are going to want to
10 spread it out and have us working together as
11 much as possible, not just here in the
12 Legislature but in our communities all over
13 the state.

14 That's what the Voting Rights Act
15 envisioned. That's what the Constitution
16 envisioned. That we're not one party this
17 way and one party that way, but we are all
18 Mississippians, and we are all people of this
19 United States that we are working together.
20 That's what this plan does.

21 It's not a super majority or a super
22 minority. It's a balanced plan, balanced
23 representation. And so I would ask for you
24 to adopt the amendment.

25 MR. SPEAKER: Questions? Do you yield

032922 House of Representatives 4/20/2022

1 for any questions?

2 GENTLEMAN FROM ADAMS: Yes, I do.

3 MR. SPEAKER: The gentleman from Holmes,
4 you've got 30 seconds.

5 GENTLEMAN FROM HOLMES: Who drew this
6 plan, Gentleman, if you'll yield?

7 GENTLEMAN FROM ADAMS: I drew it with
8 some help. There were some other lawyers
9 involved to help me draw the plan.

10 GENTLEMAN FROM HOLMES: You know, I've
11 heard you say many times in this chamber,
12 we're being asked to vote on something we
13 hadn't seen. Where's a copy of the map;
14 like, has anybody in here seen what we're --
15 you're asking us to vote on?

16 GENTLEMAN FROM ADAMS: Nobody's seen a
17 copy of the map, but I'll get one to you.
18 You know that old line, gentlemen, I'll get
19 back with you, I'll have that to you
20 post-haste. I got it for you.

21 MR. SPEAKER: The gentleman's time is
22 expired on his amendment. I'm going to
23 recognize the chairman to respond. Is he
24 awake down there?

25 I'm going to recognize the chairman to

032922 House of Representatives 4/20/2022

1 respond.

2 CHAIRMAN: All right. Thank you,
3 Mr. Speaker. I thought he might have more
4 time there than 30 seconds.

5 MR. SPEAKER: He'll be allowed to close.
6 He's got five minutes to close.

7 CHAIRMAN: All right. Yeah, I haven't
8 seen the plan and I haven't reviewed the
9 plan, but I can tell you that I think that
10 the -- I think we did everything we could
11 possibly do to draw districts that were fair
12 to the -- to the members in the chamber and
13 to the state and to different regions of the
14 state. And I would just ask you to vote
15 against the gentleman's amendment and let's
16 adopt our plan.

17 MR. SPEAKER: Thank you. To close.

18 GENTLEMAN FROM ADAMS: Thank you.

19 With all due respect to the chairman, he
20 did do all that he could do, but I just took
21 it one step further, working with the same
22 people he works with, these same people that
23 drew his map drew this map. The same people
24 that looked at it to see if it was in
25 compliance looked at my map, looked at my

032922 House of Representatives 4/20/2022

1 plan to say it was in compliance, and we
2 added five more African-American districts.

3 We added 10 to 11 more districts of
4 influence where you would have a map -- a
5 redistricting plan that reflected the
6 population of the state of Mississippi.
7 That's what we did.

8 And so I think -- I think the chairman
9 did a remarkable job with what he did, but
10 sometimes -- that's why you want to have more
11 people like me, we'll do one more step more.
12 We got more of that. You've got one more
13 step and another idea, another reflection on
14 what we can get done in this state. And
15 that's what working together is. The
16 chairman did one plan. I went with the same
17 team of people and came up with what I
18 considered, what I would argue would be a
19 better plan, a better reflection of the state
20 of Mississippi. So I would ask that you vote
21 yes on the amendment.

22 MR. SPEAKER: Gentleman from Holmes, do
23 you wish to continue your interrogation?

24 GENTLEMAN FROM HOLMES: If the gentleman
25 would yield.

032922 House of Representatives 4/20/2022

1 GENTLEMAN FROM ADAMS: Yes, I do.

2 GENTLEMAN FROM HOLMES: You said you
3 drew the plan, Gentleman, so I'm just trying
4 to --

5 GENTLEMAN FROM ADAMS: I came up with
6 the numbers.

7 GENTLEMAN FROM HOLMES: You understand
8 my angst. You're asking us to vote on it. I
9 guess it might be a great plan if we could
10 see it and know what it did. So you're
11 saying it adds --

12 GENTLEMAN FROM ADAMS: Well, you give me
13 five seconds, I'm going to get -- you want to
14 look at the map? I'll go get it for you.

15 GENTLEMAN FROM HOLMES: Were members --
16 like in the map-drawing process that the
17 chairman went through, members got to go over
18 and look at their district, see maybe
19 according to the new census numbers how
20 things have changed, and they -- I don't
21 think everybody got every suggestion they
22 wanted, but they looked at their map and that
23 sort of thing in the drawing process.

24 What members were consulted in the
25 drawing of this map that you're -- we don't

032922 House of Representatives 4/20/2022

1 have, but this plan that you're presenting?

2 GENTLEMAN FROM ADAMS: The
3 African-American members were consulted in
4 it. And let me say this about -- let me
5 answer your question. Now, members went over
6 and had (inaudible) with the chairman, but
7 nobody knew what the -- nobody -- the
8 chairman didn't -- as far as I -- everybody I
9 talked to, the chairman didn't say, well,
10 this is what your district is going to look
11 like. They saw that as the end result. So
12 we had input, so --

13 GENTLEMAN FROM HOLMES: I hear you.
14 Right now I'm concerned about the plan you're
15 offering.

16 GENTLEMAN FROM ADAMS: Are you going to
17 vote for it?

18 GENTLEMAN FROM HOLMES: Well, I don't
19 know what it is. I was just going to ask you
20 about it real quick.

21 GENTLEMAN FROM ADAMS: Okay. Go ahead.

22 GENTLEMAN FROM HOLMES: You said the
23 African-American members of the body were --
24 looked at the plan or were consulted.

25 GENTLEMAN FROM ADAMS: And everybody

032922 House of Representatives 4/20/2022

1 wasn't happy with it either.

2 GENTLEMAN FROM HOLMES: Were any other
3 House members, besides the African-American
4 members allowed to have input or look at the
5 potential plan?

6 GENTLEMAN FROM ADAMS: Not one.

7 GENTLEMAN FROM HOLMES: Not one.

8 GENTLEMAN FROM ADAMS: Yes.

9 GENTLEMAN FROM HOLMES: Why not?

10 GENTLEMAN FROM ADAMS: Well, because our
11 objective was to try to maximize the
12 African-American participation in the
13 election process. And what my history has
14 shown me after being here 30 years, that
15 every map that's drawn, every map that's
16 drawn, even though you may have some input on
17 your district, that map is always drawn in a
18 way to maximize the other way. And so I
19 wanted input from people who had felt they
20 had constantly consistently over numbers of
21 years been disenfranchised or been treated
22 with disinterest in terms of what we think
23 the input could be.

24 Now, you heard the chairman say he
25 thought he had done everything that he could

032922 House of Representatives 4/20/2022

1 do. But nobody looked and said, well, what
2 else can we do?

3 And what I suggest to you is that in his
4 plan they didn't do everything you could do.
5 And so I talked to the members who feel like
6 nobody ever listens to me, the people who
7 say, I'm not a chairman of a committee. I
8 haven't been appointed to anything that I can
9 have any real influence. I wanted to talk to
10 those people who constantly feel locked out
11 of the process. And those are the people I
12 took input from.

13 GENTLEMAN FROM HOLMES: So it sounds
14 like that was about an overall -- achieving
15 some overall goal and not specifically
16 looking at districts and how they measure up.

17 What about did y'all start with the
18 benchmark plan and what --

19 GENTLEMAN FROM ADAMS: We started with
20 the benchmark plan, and we took --

21 GENTLEMAN FROM HOLMES: That's what I'm
22 talking about.

23 GENTLEMAN FROM ADAMS: -- we took --
24 when I say "benchmark plan," we started with
25 the benchmark plan from 10 years ago.

032922 House of Representatives 4/20/2022

1 GENTLEMAN FROM HOLMES: That's what I'm
2 talking about.

3 GENTLEMAN FROM ADAMS: Yeah, started
4 with the benchmark.

5 GENTLEMAN FROM HOLMES: So you started
6 with that with current census numbers now?

7 GENTLEMAN FROM ADAMS: Absolutely.

8 GENTLEMAN FROM HOLMES: I've learned
9 just enough to be dangerous being on that
10 committee.

11 GENTLEMAN FROM ADAMS: I feel you.

12 GENTLEMAN FROM HOLMES: So this is from
13 the hip.

14 GENTLEMAN FROM ADAMS: Yeah.

15 GENTLEMAN FROM HOLMES: Was a heat map
16 used in the --

17 GENTLEMAN FROM ADAMS: Was a what?

18 GENTLEMAN FROM HOLMES: A heat map?

19 GENTLEMAN FROM ADAMS: Absolutely.

20 GENTLEMAN FROM HOLMES: It was used?

21 GENTLEMAN FROM ADAMS: Yes.

22 GENTLEMAN FROM HOLMES: Are you -- as
23 you said, you drew it, were you --

24 GENTLEMAN FROM ADAMS: Let me say this,
25 just to shorten it. We used all the criteria

032922 House of Representatives 4/20/2022

1 that the peer committee and everybody told us
2 we needed to use. We used the same software,
3 all the things they needed to require to make
4 sure we got it right.

5 GENTLEMAN FROM HOLMES: And did you have
6 a goal when you sat down to draw the plan?

7 GENTLEMAN FROM ADAMS: Yeah, to get as
8 many African-American districts as we could
9 get.

10 GENTLEMAN FROM HOLMES: And this plan
11 does add a substantial --

12 MR. SPEAKER: Gentlemen, your time has
13 expired.

14 GENTLEMAN FROM ADAMS: Absolutely. We
15 can make your district an African-American.
16 You can get black folks to vote for you.

17 GENTLEMAN FROM HOLMES: Which one was
18 drawn first?

19 GENTLEMAN FROM ADAMS: It was just an
20 overall plan.

21 GENTLEMAN FROM HOLMES: Did you stick to
22 the traditional map-drawing principles --

23 GENTLEMAN FROM ADAMS: Absolutely.

24 GENTLEMAN FROM HOLMES: -- when y'all --

25 GENTLEMAN FROM ADAMS: Absolutely. I

032922 House of Representatives 4/20/2022

1 told you, we drew a district where you got
2 majority African-Americans in your district.

3 GENTLEMAN FROM HOLMES: Has any expert
4 viewed the plan in view and looking at your
5 plan for compliance with Section 2?

6 GENTLEMAN FROM ADAMS: Experts -- there
7 were experts from Washington D.C., New York,
8 and Mississippi who helped me draw my plan
9 and even submitted it to peer who said it was
10 in compliance.

11 GENTLEMAN FROM HOLMES: It's still one
12 we haven't seen, and you're asking us to vote
13 now.

14 GENTLEMAN FROM ADAMS: Yeah, I'm asking
15 you to vote for it. I'm asking you to trust
16 me.

17 (Laughter.)

18 GENTLEMAN FROM HOLMES: What did it do
19 to my district? You know, I'm like everybody
20 else, I'm going to be personal for a minute.
21 What did it do to my district?

22 GENTLEMAN FROM ADAMS: We put more
23 African-American people in your district
24 because I find you to be a man of equity and
25 equitable observation. You take care of

032922 House of Representatives 4/20/2022

1 many -- oh, he's not? That's the way he's
2 always treated me. So I would suggest that
3 these people would be happy to have you as
4 their representative.

5 GENTLEMAN FROM HOLMES: Thank you,
6 gentleman.

7 GENTLEMAN FROM ADAMS: Thank you.

8 MR. SPEAKER: All right. I don't see
9 any further questions.

10 Question occurs on Amendment 2. If you
11 favor the amendment, indicate by saying
12 "aye." Opposed, "no." The "noes" have it.
13 Roll call is demanded.

14 Open the machine, Madam Clerk. Give her
15 a second.

16 If you favor the amendment vote "aye,"
17 if you're opposed vote "nay." Has everyone
18 voted? Has everyone voted?

19 Close the machine, Madam Clerk.

20 By a vote of 39 yays, 77 nays, the
21 amendment fails.

22 Anything further, gentlemen? I don't
23 see any other amendments. All right.

24 Question occurs on Joint Resolution
25 Number 1. Open the machine, Madam Clerk.

032922 House of Representatives 4/20/2022

1 In favor of the resolution vote "aye,"
2 if you're opposed, vote "nay." Has everyone
3 voted? Has everyone voted?

4 Close the machine, Madam Clerk.

5 By a vote of 81 yays, 37 nays, the
6 resolution is adopted.

7 (Introduction made.)

8 MR. SPEAKER: Recognize the Chairman.

9 CHAIRMAN: I would like to ask for
10 immediate release of that.

11 MR. SPEAKER: Any objection? Hearing
12 none, we will do that.

13 (Introductions made.)

14 (End of video.)

15

16

17

18

19

20

21

22

23

24

25

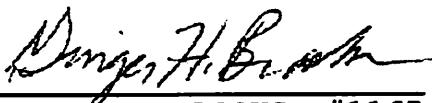
032922 House of Representatives 4/20/2022

1 CERTIFICATE OF COURT REPORTER

2 I, Ginger H. Brooks, Court Reporter and
3 Notary Public, in and for the State of
4 Mississippi, hereby certify that the foregoing
5 contains a true and correct transcript of the
6 video provided to me and reduced to typewritten
7 form under my supervision.

8 I further certify that, to the best of
9 my knowledge, I am not in the employ of or related
10 to any party in this matter and have no interest,
11 monetary or otherwise, in the final outcome of
12 this matter.

13 Witness my signature and seal this the
14 14th day of June, 2022.

15
16 
17 GINGER H. BROOKS, #1165
18 CRR, RPR, CCR

19 My Commission Expires:
20 September 18, 2025
21
22
23
24
25